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REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated under the provisions of 35 U.S.C. § 102 or make obvious under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 20 AND 22-40 UNDER 35 U.S.C. § 112

The Examiner has rejected claims 20 and 22-40 under 35 U.S.C. § 112 for allegedly being indefinite. In response, the Applicants have amended independent claims 20, 39 and 40 to more clearly recite aspects of the invention.

In particular, the Examiner submits that the limitation of "enabling a user to search ..." recited in independent claims 20, 39 and 40, from which claims 22-38 depend, is not a positive step.

The Applicants have amended claims 20, 39 and 40 to recite the new steps of "present[ing] to a user a plurality of searchable templates ..." and "receiv[ing] from said user a selection of one of said templates ...", replacing "enabl[ing] a user to search ...". The steps of presenting the templates and receiving user selections do not present new matter and are supported by the Applicants' original Specification, for example, at least at page 11, lines 3-17 ("... decision makers access historical arguments and templates 1065 via browser 110, argument server 102, and memory 107") and at page 19, line 10 – page 21, line 15 (" ... the object manager 800 is presenting a number of objects in display 812"; "... a user may search for and retrieve historical templates ..."; "Once a relevant historical template is found, the user may select the new button 814 in the toolbar 802 to create a new argument ...").

Therefore the Applicants submit that independent claims 20, 39 and 40, as amended, fully satisfy the requirements of 35 U.S.C. §112. Dependent claims 22-38 depend from claim 20 and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 22-38 also fully satisfy the requirements of 35 U.S.C. §112. Accordingly, the Applicants respectfully request that the rejection of claims 20 and 22-40 under 35 U.S.C. §112 be withdrawn.

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II. REJECTION OF CLAIMS 20 AND 22-38 UNDER 35 U.S.C. § 101

The Examiner has rejected claims 20 and 22-38 under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. In response, the Applicants have amended claim 20, from which claims 22-38 depend, in order to more clearly recite aspects of the present invention.

In particular the Examiner submits that the method recited in claims 20 and 22-38 does not produce a concrete result. In response, the Applicants have amended independent claim 20 to recite the step of "publishing [a new] argument for use by [a] user", where the new argument has an answer that is based on the user's answers to template questions. The end result of the recited method is thus a published argument that is based on processing of the user's answers to questions.

In light of the amendment, the Applicants submit that independent claim 20, and claims 22-38 that depend therefrom, fully satisfy the requirements of 35 U.S.C. §101. Accordingly, the Applicants respectfully request that the rejection of claims 20 and 22-38 under 35 U.S.C. §101 be withdrawn.

III. REJECTION OF CLAIMS 1-8, 17-27 AND 36-40 UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1-8, 17-27 and 36-40 under 35 U.S.C. §102(e) as being anticipated by the Calver application (United States Patent Application Publication No. 2001/0032092, issued on October 18, 2001, hereinafter "Calver"). In response, the Applicants have amended independent claims 1, 20, 39 and 40, from which claims 2-8, 17-19, 21-27 and 36-38 depend, in order to more clearly recite aspects of the invention.

Calver teaches a system for providing tailored information to a user via a web-based portal. Specifically, Calver teaches an interactive template that may be used, for example, in e-commerce application in order to help consumers locate products and services. The template presents the user with a plurality of questions that enable the system to determine who the user is and what he or she is looking for. Based on the user's answers, the system may present the user with information regarding products or

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services that correspond to the user's needs.

The Examiner's attention is directed to the fact that Calver fails to disclose or suggest the novel invention of enabling a user to provide supporting evidence in association with an answer to a template question, as claimed in Applicants' independent claims 1, 20, 39 and 40. Specifically, Applicants' claims 1, 20, 39 and 40, as amended, positively recite:

1. An analytical system for facilitating decision making given a situation by generating and accessing arguments, wherein each argument has an associated conclusion as to whether the given situation will likely have a negative or positive result, the analytical system comprising:

a database for storing a plurality of templates that each include a plurality of questions which when answered generate a particular argument having an associated conclusion regarding a particular situation that is based on answers to its associated template questions; and

an argument server comprising:

means for a user to select one of the templates which is most relevant to the given situation

means for receiving answers to one or more of the selected template's questions;

means for generating a new argument having an associated conclusion based on such answers, the associated conclusion indicating whether the given situation will likely have a positive or negative result; and

means for associating supporting evidence provided by said user with said answers to said template questions. (Emphasis added)

20. A method for facilitating decision making given a situation by accessing or generating an argument having a conclusion for the given situation, the method comprising:

enabling a user to search a plurality of templates for a relevant template most related to the given situation, wherein each template includes a plurality of questions;

receiving from said user one or more answers to one or more questions of the relevant template;

forming a new argument having a conclusion based on the one or more answers; and

associating supporting evidence provided by said user with at least one answered template question. (Emphasis added)

39. A computer readable medium containing program instructions for facilitating decision making given a situation by accessing or generating an argument having a

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conclusion for the given situation, the computer readable medium comprising:

computer code for enabling a user to search a plurality of templates for a relevant template most related to the given situation, wherein each template includes a plurality of questions;

computer code for receiving from said user one or more answers to one or more questions of the relevant template;

forming a new argument having a conclusion based on the one or more answers; computer code for associating supporting evidence provided by said user with at least one answered template question; and

a computer readable medium that stores the computer codes. (Emphasis added)

40. A computer system operable facilitate decision making given a situation by accessing or generating an argument having a conclusion for the given situation, the computer system comprising:

one or more processors;

one or more memory, wherein at least one of the processors and memory are adapted to:

enable a user to search a plurality of templates for a relevant template most related to the given situation, wherein each template includes a plurality of questions;

receive from the user one or more answers to one or more questions of the relevant template;

form a new argument having a conclusion based on the one or more answers; and

associate supporting evidence provided by the user to at least one answered template question. (Emphasis added)

Applicants' invention is directed to a method and apparatus for generating and accessing arguments, e.g., to facilitate decision making. The ability to make correct and timely decisions is often made more difficult by the complexity and uncertainty of the environment in which the decision must be made. Conventional analytic products for facilitating the decision making process are very time consuming to review and comprehend, and often do not provide a way for the analytic models to be updated. Thus, these conventional analytic products tend to not be very popular with users.

The present invention provides a method and apparatus for facilitating decision making by generating and accessing arguments, where each argument has an associated conclusion regarding the likely outcome (e.g., positive or negative) of a given situation. In one embodiment, a user is enabled to search a plurality of templates for a

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template that is relevant to the given situation. The template comprises one or more questions that the user then answers, in some cases providing supporting evidence (e.g., in the form of a file attachment, hyperlink, etc.) for his or her answers. Based on these answers, the argument is generated. The user may then assess the argument and its associated conclusion in order to choose an appropriate course of action.

In contrast, Calver teaches a system that simply matches a user to products or services based on his or her answers to a series of questions. The user's answers are taken at face value – that is, there is no mention in Calver of allowing the user to provide supporting evidence for his or her answers. Nor does Calver teach that the argument produced is associated with a likelihood regarding the nature of the given situation's outcome. The output of Calver is substantially neutral in this respect.

The Applicants' invention positively claims the step of receiving supporting evidence from a user in connection with one or more of his or her answers. The supporting evidence allows the invention to provide better feedback to the user in the form of an argument that indicates whether a specified situation will have a positive or negative result. The system of Calver is completely devoid of any teaching or suggestion relating to the need to allow a user to provide supporting evidence in connection with his or her answers to template questions.

The portion of Calver that the Examiner cites as teaching this limitation does not, in fact, teach receiving supporting evidence provided by a user in connection with a user answer. Paragraph [0084] of Calver teaches that a user may choose to have the system output returned as a series of hyperlinks to web pages containing product or service information (i.e., hyperlinks are provided by the system after user answers have been received and processed). This is not the same as the user providing a hyperlink, or supporting evidence in any other form, in response to a question from the system. The Examiner reiterates in the Final Office Action the opinion that the cited paragraph teaches "associating supporting evidence to each answered template question"; however, the Applicants respectfully disagree with the Examiner's interpretation of this paragraph. The Applicants' claims clearly recite that the user provides supporting evidence to the system, to support his or her answers (system input). At best, Calver

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teaches that the system provides "supporting evidence" (hyperlinks) to the user, to support or provide additional information related to the system output (i.e., information that is returned to, not received from, a user). Nowhere does Calver teach that the user provides the hyperlinks to the system in connection with his or her input to the system. Thus, Calver clearly does not teach receiving supporting evidence from a user, as claimed by the Applicants.

Therefore, the Applicants submit that for at least the reasons set forth above, independent claims 1, 20, 39 and 40, as amended, fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

Dependent claims 2-8, 17-19, 21-27 and 36-38 depend from claims 1, 20, 39 and 40 and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 2-8, 17-19, 21-27 and 36-38 are not anticipated by the teachings of Calver. Therefore, the Applicants submit that dependent claims 2-8, 17-19, 21-27 and 36-38 also fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

IV. REJECTION OF CLAIMS 9-16 AND 28-35 UNDER 35 U.S.C. § 103

The Examiner rejected claims 9-16 and 28-35 under 35 U.S.C. §103(a) as being unpatentable over Calver. In response, the Applicants have amended independent claims 1 and 20, from which claims 9-16 and 28-35 respectively depend, in order to more clearly recite aspects of the present invention.

Calver has been discussed above. As discussed, Calver fails to disclose or suggest the novel invention of enabling a user to provide supporting evidence in association with an answer to a template question, as claimed in Applicants' independent claims 1 and 20.

Therefore, for at least the reasons set forth above, the Applicants submit that independent claims 1 and 20 fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Dependent claims 9-16 and 28-35 depend, respectively, from claims 1 and 20, and recite additional features therefore. As such, and for at least the reasons set forth above, the Applicants submit that claims 9-16 and 28-35 are not made

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obvious by the teachings of Calver. Therefore, the Applicants submit that dependent claims 9-16 and 28-35 also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

V. CONCLUSION

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §101, 35 U.S.C. §102 and 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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Date



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